

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

DOCKET NO. 5:12CR49

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	<b>BILL OF</b>
	)	<b>PARTICULARS</b>
v.	)	<b>FOR FORFEITURE</b>
	)	<b>OF PROPERTY</b>
MARTIN MARTINEZ SALDANA, ET AL.,	)	
	)	
Defendant.	)	

NOW COMES the United States of America, by and through Anne M. Tompkins, United States Attorney for the Western District of North Carolina, and hereby submits the following Bill of Particulars for Forfeiture of Property.

The Indictment in this case seeks forfeiture of property pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924, and 28 U.S.C. § 2461(c). Furthermore, in the Notice of Forfeiture and Finding of Probable Cause, the Indictment gives notice of forfeiture as to “a) all property which constitutes or is derived from proceeds of the violations set forth in this bill of indictment; b) all property used or intended to be used in any manner or part to commit or facilitate such violations; c.) all firearms or ammunition involved or used in such violations; and (d.) If, as set forth in 21 U.S.C. § 853(p), any property described in (a) or (b) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant(s) to the extent of the value of the property described in (a) or (b).” The United

States hereby gives notice that it is seeking forfeiture of additional specific property pursuant to 21 U.S.C. § 853, 18 U.S.C. § 924, and 28 U.S.C. § 2461(c), and/or– on one or more of the grounds alleged in the Indictment – including, but not limited to, the following:

**Tanfoglio, made in Italy, .22 caliber, 4 shot pistol, S/N:59363, seized from Martin Martinez Saldana's residence located at 148 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**Herman Weihrauch, model HW7T, .22 mag., 8 shot revolver, S/N:1296341, with extra cylinder, seized from Martin Martinez Saldana's residence located at 148 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**H&R 12 gauge single shot shotgun, S/N:A62823, in two pieces, seized from Martin Martinez Saldana's residence located at 148 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**3, .22 short rounds, seized from Martin Martinez Saldana's residence located at 148 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**1, 12 gauge shell, seized from Martin Martinez Saldana's residence located at 148 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**Tanfoglio, model E15, .22 caliber revolver, S/N:TC25618, seized from Martin Martinez Saldana's residence located at 148 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**81 rounds of .223 and .45, located in a metal outbuilding on December 12, 2012.**

**Calwestco Inc., Jennings model J22, .22 caliber pistol, S/N: 486206, seized from 178 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**Ruger P90DC, .45 ACP, S/N:662-31512, with 1 magazine located near the pistol holding 2 rounds and 8 loose rounds located near the pistol seized from 178 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**186 rounds of assorted ammunition, seized from 178 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**Norinco 7.62 X 39mm rifle, model SKS, S/N:11108482, seized from 178 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**Savage Model 110, .308, S/N:F761578, seized from 178 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**Plastic box containing 301 rounds of assorted ammunition, seized from 178 Ervin Houck Drive, West Jefferson, NC 28694 on December 12, 2012.**

**148 Ervin Houck Drive, West Jefferson, Ashe County, NC 28694 as more particularly described in a Deed recorded in the Register of Deeds office, Ashe County, North Carolina, at Deed Book 247, Pages 1055-1058.**

**178 Ervin Houck Drive, West Jefferson, Ashe County, NC 28694 as more particularly described in a Deed recorded in the Register of Deeds office, Ashe County, North Carolina, at Deed Book 247, Pages 1055-1058.**

**212 Ervin Houck Drive, West Jefferson, Ashe County, NC 28694 as more particularly described in a Deed recorded in the Register of Deeds office, Ashe County, North Carolina, at Deed Book 431, Pages 1540-1541.**

**Non-postal enumerated parcel bearing PIN 13194-314, West Jefferson, Ashe County, NC 28694 as more particularly described in a Deed recorded in the Register of Deeds office, Ashe County, North Carolina, at Deed Book 420, Pages 960-961.**

Respectfully submitted this the 11<sup>th</sup> day of February 2013.

ANNE M. TOMPKINS  
UNITED STATES ATTORNEY

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s/ THOMAS R. ASCIK  
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CERTIFICATE OF SERVICE

I hereby certify that the Government's Bill of Particulars for Forfeiture of Property on Behalf of the United States was duly served upon defense counsel via ECF at the following addresses:

Denzil H. Forrester at denzilfesq@aol.com  
Steven T. Meier at steve@meierlaw.com

This the 11<sup>th</sup> day of February 2013.

ANNE M. TOMPKINS  
UNITED STATES ATTORNEY

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s/ THOMAS R. ASCIK  
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